

THE HONOURABLE SRI JUSTICE P.S.NARAYANA
W. P. No.15838 of 2006
Dated: 15938 pf 2006

Between:

Sri Ittu

Petitioner

And

The State Election Commissioner, A.P. and others

Respondents

THE HONOURABLE SRI JUSTICE P.S.NARAYANA
W. P. No.15838 of 2006

ORDER:

1. Heard the counsel.
2. The writ petition is filed for a Writ of Mandamus declaring the action of the 2nd respondent in allowing the appeal of the 4th respondent, vide his proceedings No.B2/2203/06-56 dated 22.07.2006 declaring the nomination of the 4th respondent, as valid nomination in respect of Ward No.10 of Gousabad Gramapanchayat, Zaheerabad Mandal, Medak District, by setting aside the order dated 20.07.2006 passed by the 3rd respondent in rejecting the nomination of 4th respondent, as illegal, unlawful, contrary to law and same may be set-aside, consequently directing the respondents to declare that the petitioner is the unanimously elected member in Ward No.10 of the said Grampanchayat, and pass such other suitable orders.
3. Several factual details had been narrated by the counsel for the petitioner. It is stated that the third respondent rejected the nomination of the 4th respondent on 20-07-2006. The date of withdrawal is 23.07.2006 and the date of polling is 06-08-2006. On a prima facie reading of the contents of the affidavit filed in support of the writ

petition, this court is satisfied that these are all factual aspects which cannot be gone at this stage by a writ court. In the view of the same, the petitioner is permitted to raise a dispute by way of election petition before the appropriate election tribunal if the petitioner is so advised.

4. With the above observation, the writ petition is disposed of. No order as to costs.

Stp

01-08-2006

Stp